

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.
★ AUG 25 2006 ★

-----X
CSC HOLDINGS, INC.,

Plaintiff,

- against -

LAWRENCE COUGHLIN,

Defendant.
-----X

P.M. _____
TIME A.M. _____

ORDER

2:02-CV-02825-ENV-ARL

VITALIANO, D.J.

On October 29, 2004 District Judge Arthur D. Spatt granted summary judgment in favor of the plaintiff, CSC Holdings, Inc., in the above-captioned matter and referred the remaining question of damages to Magistrate Judge Arlene R. Lindsay. On July 28, 2006 Magistrate Lindsay issued a Report and Recommendation recommending that damages be awarded to plaintiff in the amount of \$90,000 in statutory damages and \$34,305.80 in attorneys' fees and costs. No objections to Magistrate Lindsay's Report and Recommendation have been timely filed.

In reviewing a Report and Recommendation, this court "may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). Moreover, in order to accept a magistrate judge's Report and Recommendation where no timely objection has been made, the "court need only satisfy itself that there is no clear error on the face of the record." *Urena v. New York*, 160 F.Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting *Nelson v. Smith*, 618 F.Supp. 1186, 1189 (S.D.N.Y. 1985)).

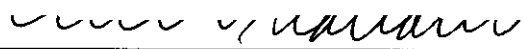
After careful review of all the evidence in the record below, the Court finds Magistrate Lindsay's Report and Recommendation as to the appropriate amount of damages in this action to be correct, comprehensive, well-reasoned, and free of any clear error. The Court, therefore, adopts the Report and Recommendation in its entirety as the opinion of the Court. Accordingly, for the reasons stated therein, the plaintiff is awarded \$90,000 in statutory damages and \$34,305.80 in attorneys' fees and costs.

Plaintiff is directed to submit judgment within 10 days in accordance with this opinion.

SO ORDERED.

DATED: Brooklyn, New York
August 24, 2006

/S/



ERIC N. VITALIANO
United States District Judge